

NONPROVISIONAL PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Attorney Docket No.: 116208

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MAIL STOP PATENT APPLICATION

Customer Number: 25944

**NONPROVISIONAL APPLICATION TRANSMITTAL  
RULE §1.53(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is the nonprovisional patent application

For (Title): CONTROL APPARATUS AND METHOD FOR INTERNAL COMBUSTION ENGINE  
HAVING VARIABLE VALVE SYSTEM

By (Inventors): Makoto OGISO; Tomomi YAMADA

- Formal drawings (Figs. 1-7; 7 sheets) are attached.  
 Use Figure \_\_\_\_\_ for front page of Publication.
- A Declaration and Power of Attorney is filed herewith.
- This application claims benefit of Provisional Application No. \_\_\_\_\_ filed \_\_\_\_\_.  
 (A Preliminary Amendment is attached to reflect this claim in the Specification if not already present.)
- This patent application is assigned to TOYOTA JIDOSHA KABUSHIKI KAISHA.  
 The executed Assignment is filed herewith.
- An Information Disclosure Statement is filed herewith.
- Entitlement to small entity status is hereby asserted.
- A Preliminary Amendment is filed herewith.
- Priority of foreign application No. 2002-232227 filed August 9, 2002 in JAPAN is claimed (35 U.S.C. §119).  
 A certified copy of the above corresponding foreign application is filed herewith.
- This application is NOT to be published under 35 U.S.C. 112(b). The undersigned attorney or agent hereby certifies that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- The filing fee is calculated below:

CLAIMS IN THE APPLICATION AFTER ENTRY OF  
ANY PRELIMINARY AMENDMENT NOTED ABOVE

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	13 - 20	= 0
INDEP CLAIMS	6 - 3	= 3
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

\* If the difference is less than zero, enter "0".

- Check No. 144703 in the amount of \$1002 to cover the filing fee is attached. Except as otherwise noted herein, the Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 15-0461. Two duplicate copies of this sheet are attached.

Respectfully submitted,

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15535 U.S. PTO  
1510/628497



07/29/03

SMALL ENTITY	
RATE	Fee
	\$ 375
x 9 =	\$
x 42 =	\$
+ 140 =	\$
TOTAL	\$

OTHER THAN A SMALL ENTITY	
OR	RATE
OR	\$ 750
OR	\$
OR	\$ 252
OR	\$
OR	TOTAL \$ 1002